

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:06-CR-108
)	(JORDAN/SHIRLEY)
TOMMIE DONDI WARNER,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. On December 5, 2006, this Court entered an order [Doc. 75] granting the Government's Motion To Revoke Defendant's Pretrial Release and accepting Waiver of Detention Hearing of the defendant, Tommie Dondi Warner [Doc. 73]. Additionally, this Court granted Defendant's oral motion to continue trial, resetting the matter for January 16, 2007, at 1:30 p.m., before the Honorable Leon Jordan, United States District Judge. Further, all time between the hearing date of December 18, 2006, and January 16, 2007, was found to be fully excludable under the Speedy Trial Act for reasons set forth in the order. No further pre-hearing conferences were scheduled at that time. Based on the statements made at the November 27, 2006 hearing, both parties stated intent to negotiate a plea arrangement, and with the oral agreement of the defendant's counsel, the following pending motions are denied as moot:

- (1) Defendant's Motion to Bifurcate [Doc. 34];
- (2) Defendant's Motion for Bill of Particulars [Doc. 35];
- (3) Defendant's Motion in Limine to Exclude Uncharged Quantities [Doc. 37];
- (4) Defendant's Motion for Disclosure of All Statements which Government will Seek to Attribute [Doc. 38];
- (5) Defendant's Motion for Discovery for Early *Jenks* Material [Doc. 39];
- (6) Defendant's Motion for Discovery *In Camera* Inspection of Statements of Co-Defendants [Doc. 40];
- (7) Defendant's Motion for Discovery Request for 12(4)(B) Evidence and Evidence Arguably Subject to Suppression [Doc. 41];
- (8) Defendant's Motion for Discovery Pretrial Written Disclosures of Other Crimes [Doc. 42];
- (9) Defendant's Motion for Disclosure 12(d)(2) Evidence [Doc. 43];
and
- (10) Defendant's Motion for Discovery Pretrial Written Notice of any Reputation or Opinion Evidence of Character Related to Defendant [Doc. 44].

Based on both parties' intent to negotiate a plea arrangement, the defendant's requested continuance of the trial, and the defendant's counsel's verbal acquiescence to mooted the above motions, all pending motions listed above are **DENIED as moot.**

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge